

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SOVERAIN SOFTWARE LLC,)	Civil Action
)	
Plaintiff,)	No. 6:07-cv-00511
)	
v.)	Judge Leonard Davis
)	
CDW CORPORATION, et al,)	
)	
Defendants.)	<u>Electronically Filed</u>

**DEFENDANT NEWEGG INC.'S
MOTION FOR EXTENSION OF TIME TO FILE ITS BILL OF COSTS**

Defendant Newegg Inc. ("Newegg") respectfully moves this Court to grant it a fourteen (14) day extension of time to October 9, 2013, to file its bill of costs in this matter. Newegg, having obtained a Federal Circuit decision, dated September 4, 2013, invalidating the asserted claims in the above-captioned matter and, thus, being the prevailing party, seeks its costs in litigating this action. *See* Fed. R. Civ. P. 54(d). Newegg believes that today, September 25, 2013, is the deadline for Newegg to submit its proposed bill of costs to the Court. However, pursuant to Local Rule CV-54, Newegg is required to meet and confer with opposing counsel before submitting its bill of costs to the Court. Newegg is prepared to forward a completed bill of costs to counsel for Plaintiff Soverain Software LLC, but has been unable to comply with this requirement because Newegg has not been able to contact any counsel of record in this case for Plaintiff. Former lead trial counsel for Plaintiff, Jones Day, who has withdrawn from this litigation, directed Newegg to contact Plaintiff's local counsel. Newegg has attempted to contact local counsel but to date has not been successful in this regard.

Accordingly, in order to comply with Local Rule CV-54, Newegg respectfully moves that this Court grant an extension of fourteen (14) days to meet and confer with counsel for Plaintiff concerning its bill of costs and to file the same with the Court, the deadline being October 9, 2013.

Respectfully submitted,

THE WEBB LAW FIRM

/s/ Kent E. Baldauf, Jr.

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Attorneys for Defendant Newegg Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2013, I electronically filed **DEFENDANT NEWEGG INC.'S MOTION FOR EXTENSION OF TIME TO FILE ITS BILL OF COSTS** with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

/s/ Kent E. Baldauf, Jr.
Kent E. Baldauf, Jr.

CERTIFICATE OF CONFERENCE

This is to certify that counsel for Defendant Newegg Inc. has attempted to contact Plaintiff's counsel to comply with Local Rule C-54 and to meet and confer regarding its bill of costs. However, to date, the attempts have been unsuccessful.

/s/ Kent E. Baldauf, Jr.
Kent E. Baldauf, Jr.